

HERMAN A. DEBOER ET AL.
08/154,019
Page 6

wherein the transgene, in a lactating form of the
bovine or a female descendent of the bovine, is capable of
directing the expression of the secretory-recombinant DNA
sequence in bovine mammary secretory cells to produce a form of
recombinant polypeptide, that when secreted from the mammary
secretory cells produces the recombinant polypeptide in the milk
of the bovine or female descendent thereof.

37 126. The transgenic bovine of claim 124, wherein the transgene is
38 introduced into the zygote by microinjection.

39 127. The transgenic bovine of claim 125, wherein the transgene
40 is introduced into the zygote by microinjection.

Remarks

Claims 73, 82, 83, 97 and 98-127 are pending. New claims 98-121 and 123 are generally similar to claims pending in the grandparent application, USSN 07/898,956 (now abandoned) at the time of the final rejection in that case. New claims 122 and 124-127 are directed to methods of producing transgenic bovines employing *in vitro* fertilization, and the transgenic bovines thereby produced. The Examiner is requested to pay particular attention to the failure of the art cited in the parent case to disclose any examples of viable transgenic bovines or the use of *in vitro* fertilization in generation of such bovines. See Response filed November 23, 1993 at pp. 14-16. Support for terms not used in the claims from the grandparent case is provided as follows. The term "enhancer" in claim 98 is supported at e.g., p. 18, second paragraph. The 2 kb 3' flanking sequence in claim 101 is supported at e.g., p. 20, first paragraph. The 16 kb 5' flanking sequence of claim 102 is supported at e.g., p. 21, Table 1. New claims 122 and 124-127 are supported by e.g., Examples 6 and 15.

HERMAN A. DEBOER ET AL.
08/154,019
Page 7

61

Respectfully submitted,

J. Liebeschuetz

62
63

Joe Liebeschuetz
Reg. No. 37,505

64 TOWNSEND and TOWNSEND KOURIE and CREW
65 20th Floor, Steuart Street Tower
66 One Market Plaza
67 San Francisco, California 94105-1492
68 (415) 326-2400

69

14643\31\2-2.RRR